

Excerpts  
Planning Commission Minutes  
February 14, 2000

**Application No. UP-568-01, Robert G. Hicks:** Request for a special use permit, pursuant to Section 24.1-407(c) of the York County Zoning Ordinance, to authorize an 800 square foot accessory apartment in conjunction with a single-family detached dwelling on property located at 206 Skimino Landing Road and further identified as Assessor's Parcel No. 3-(2)-213-21. The property is zoned RR (Rural Residential) and is designated for Low-Density Residential uses in the Comprehensive Plan.

Mr. Michael King, with the aid of a video presentation, summarized the staff memorandum to the Commission in which the staff recommended approval. Mr. King added that the homeowners' association's architectural review committee has approved the applicant's design.

Mr. Semmes asked who comprises the committee that approved the design and Mr. King referred the question to the applicant.

Chair Semmes opened the public hearing.

**Mr. Robert G. Hicks**, 238 North Avenue, Newport News, Virginia, said it is his understanding that approximately 15 homeowners who have purchased homes in the first phase of the development, and the developer, comprise the committee. He said he had received approval in writing from the Skimino Landing homeowners' association.

The Chair closed the public hearing.

Mr. Shepperd commended the staff for seeking input of the homeowners' association and strongly encouraged that they continue to do so. He also credited the developer with having the members of the community involved in the decision-making process at such an early stage of development. Mr. King pointed out Marque Homes is the developer's chosen intermediary to perform certain administrative tasks.

Mrs. White moved the adoption of Resolution PC01-04 recommending approval. It passed unanimously (5:0, Messrs. Hendricks and Simasek absent).

#### PC01-04

On motion of Mrs. White, which carried 5:0, the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL USE PERMIT TO AUTHORIZE AN ACCESSORY APARTMENT IN CONJUNCTION WITH A SINGLE-FAMILY DETACHED DWELLING TO BE CONSTRUCTED IN SKIMINO LANDING ESTATES

WHEREAS, Robert G. Hicks has submitted Application No. UP-568-01 to request a special use permit, pursuant to Section 24.1-407(c) of the York County Zoning Ordinance, to authorize an accessory apartment in conjunction with a single-family detached dwelling to be constructed on property located in the southeast quadrant of the intersection of Skimino Landing Drive and Pheasant Springs Road and further identified as Assessor's Parcel No. 3-(2)-2B-21; and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has given careful consideration to the public comments and staff recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 14th day of February, 2001, that it does hereby transmit Application No. UP-568-01 to the York County Board of Supervisors with a recommendation of approval, subject to the following conditions:

1. This use permit shall authorize an accessory apartment in conjunction with a single-family detached dwelling to be constructed on property located in the southeast quadrant of the intersection of Skimino Landing Drive and Pheasant Springs Road and further identified as Assessor's Parcel No. 3-(2)-2B-21
2. Building plans in substantial conformance with the sketch plan submitted by the applicant shall be submitted to and approved by the York County Department of Environmental and Development Services, Division of Building Regulation, prior to the commencement of any construction activities on the site.
3. Not more than one (1) accessory apartment shall be permitted in conjunction with the principal dwelling unit.
4. The accessory apartment unit shall not contain in excess of 800 square feet.
5. The accessory apartment unit shall contain no more than one (1) bedroom.
6. The combined number of bedrooms in the principal dwelling and the accessory apartment unit shall not exceed five (5).
7. Adequate provisions shall be made for off-street parking of motor vehicles in such a fashion as to be comparable with the character of the single-family residence and adjacent properties.
8. The accessory apartment shall not be rented separate from the principal dwelling and shall be occupied only by family members or guests of the occupant of the single-family dwelling.

9. The accessory apartment shall be constructed in conjunction with or subsequent to, but in no case prior to, the construction of the principal dwelling unit.
10. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this special use permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.

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